



Help America Vote Act

Missouri's State Plan



Office of the
Secretary of State



INTRODUCTION

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Introduction

State and local governments will be faced with a dramatic shift in elections responsibility as a result of the federal Help America Vote Act of 2002 (HAVA), public law 107-252. Meeting many of HAVA’s requirements is mandatory regardless of the availability of federal funds. Following is a brief overview of Missouri’s present elections system.

Statutory and Administrative Framework

Election authorities and the conduct of elections in Missouri are governed by Chapter 115 of the Revised Statutes of Missouri (RSMo), known as the “Comprehensive Election Act of 1977”, as amended. Missouri election laws establish comprehensive procedures to conduct full and fair elections, including provisions on the Intent of the Act and Definitions (sections 115.001-115.013); Election Authorities (sections 115.015-115.077); Election Judges (sections 115.079-115.103); Challengers and Watchers (sections 115.104-115.111); Precincts and Polling Places (sections 115.113-115.119); Elections, When Held—Notice, How Given (sections 115.121-115.129); Qualifications of Voters and Registration (sections 115.133-115.223); Automated Voting Equipment (sections 115.225-115.273); Absentee Voting (sections 115.275 to 115.304); Political Parties and Nomination of Candidates (sections 115.305-115.405); Polling Places and Voting Procedures (sections 115.407-115.445); Counting of Votes (sections 115.447-115.525); Election Contests (sections 115.526-115.601); Political Party Committees (sections 115.603-115.627); Election Offenses (sections 115.629-115.646); Mail-In Ballots, Certain Elections (sections 115.650-115.660); Local Issues-Petition (section 115.700); and Presidential Primary (sections 115.755 to 115.785).



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In addition, pursuant to statutory authority the Secretary of State has promulgated administrative rules on Voter Identification (15 CSR 30-3.010); Postcard Voter Application and Forms (15 CSR 30-4.010); Mail Ballot Election Procedures and Forms (15 CSR 30-5.020); Provisional Voting Procedures (15 CSR 30-8.010-15 CSR 30-8.020); Uniform Counting Standards (15 CSR 30-9.010-15 CSR 30-9.040); and Voting Machines (Electronic) (15 CSR 30-10.010-15 CSR 30-10.120).

State and Local Roles/Responsibilities

The Secretary of State is the Chief State Election Official whose responsibilities for state and federal elections include, but are not limited to, the following:

1. Certification of voting and ballot counting systems used in Missouri;
2. Design and maintenance of the Centralized Voter Registration Database;
3. Candidate filing and ballot certification for the six constitutional state offices, U.S. Congress, the General Assembly, and circuit judges not covered by the non-partisan court plan;
4. Canvassing and certification of votes, and publishing of election results;
5. Rulemaking authority in the following areas related to HAVA;
 - a. Ballot counting procedures, including uniform counting standards for each voting system approved for use in Missouri;
 - b. Voter registration forms;
 - c. Provisional voting and ballots;
 - d. Machine certification
 - e. Voter identification requirements; and
 - f. Centralized Voter Registration Database;
6. Development and distribution of training materials for local election officials and poll workers; and
7. Assisting the 116 local election authorities interpret and administer state election laws.

The Secretary of State cooperates with other officials, schools, and civic organizations to provide materials supporting voter registration, responsibility and education. A high priority of the Secretary of State is to work with local election officials, the media and other groups to increase voter participation.

In Missouri, there are 116 local election authorities. Election authorities are responsible for supervising the voter registration process, maintaining the voter registration rolls for its jurisdiction, and conducting all public elections for the State and all political subdivisions within its jurisdiction. This includes all federal, state, county, municipal, school district, fire district, water district, and any other special district



elections. Any election administration duty not specifically assigned by statute to the Secretary of State is the responsibility of the local election authorities.

Voting Age Population

According to 2000 Census figures, there are 4,167,519 Missourians of voting age. This is up from 1990, when Missouri's voting age population totaled 3,801,603.

Voting Eligible Population

Currently, Missouri has over 3.6 million registered voters. In the November, 2000 general election, 2.3 million voters went to the polls. In the November, 2002, nearly 1.9 million Missourians cast ballots.

Turnout

50.9 percent of Missouri's registered voters participated in the November, 2002 general election, a number higher than the estimated national average of 39 percent. Turnout for the November, 2000 general election, a presidential election year, was even higher, with over 60 percent of Missouri's registered voters casting ballots.

Number and Type of Voting Systems in Missouri

There are three voting systems currently approved for use and used in Missouri: (1) Manual (paper ballot); (2) punch card; and (3) optical scan. Following is a chart showing the type of voting system used by each Missouri County, the total number of registered voters by voting system, and the total jurisdictions by voting system:

County	Manual	Punch Card	Optical Scan
Adair		18467	
Andrew			10523
Atchison			4914
Audrain		16329	
Barry			21399
Barton			9204
Bates			10948



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Benton			13055
Bollinger			9535
Boone			93722
Buchanan			54358
Butler		35318	
Caldwell		6109	
Callaway		23874	
Camden		28400	
Cape Girardeau		42017	
Carroll		7328	
Carter	5082		
Cass			62000
Cedar		10266	
Chariton	6881		
Christian			48080
Clark			5098
Clay			104613
Clinton			14741
Cole		49463	
Cooper			10448
Crawford		17237	
Dade	6108		
Dallas			9864
Daviess			5416
DeKalb			6110
Dent		7580	
Douglas			9884
Dunklin			23510
Franklin		61937	



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Gasconade		10266	
Gentry			5228
Greene		177209	
Grundy			6276
Harrison	6483		
Henry			16053
Hickory			6137
Holt			4477
Howard			7400
Howell			19828
Iron			6646
Jackson		202229	
Jasper		72656	
Jefferson		111352	
Johnson			22953
Kansas City		276694	
Knox			3215
Laclede			20733
Lafayette			20522
Lawrence		22787	
Lewis			6951
Lincoln			27554
Linn		9605	
Livingston		9794	
Macon			10261
Madison			9378
Maries			6622
Marion		19921	
McDonald		12933	



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Mercer	2828		
Miller			16315
Mississippi			9898
Moniteau			9233
Monroe			6291
Montgomery			8031
Morgan			12425
New Madrid			11507
Newton			39684
Nodaway			12899
Oregon			6907
Osage			8719
Ozark			7078
Pemiscot		16855	
Perry		11975	
Pettis		25433	
Phelps		23906	
Pike			11130
Platte			55025
Polk		15108	
Pulaski			20983
Putnam			4044
Ralls			7400
Randolph		16498	
Ray		17022	
Reynolds	6888		
Ripley			10208
Saline			17939
Schuyler			3516



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Scotland	3306		
Scott			26154
Shannon	6787		
Shelby			4591
St. Charles		172524	
St. Clair			6512
St. Francois			37637
St. Louis County		618149	
St. Louis City		193274	
Ste. Genevieve		11029	
Stoddard			21377
Stone			22906
Sullivan			5214
Taney		30623	
Texas			14981
Vernon			11631
Warren		17343	
Washington			15876
Wayne			9278
Webster			20092
Worth	2206		
Wright			12628
TOTAL REGISTERED VOTERS BY VOTING SYSTEM	46569	2419510	1215765
TOTAL JURISDICTIONS BY VOTING SYSTEM	9	37	70

Of the 70 optical scan counties, 7 have precinct scanners in every polling place, 23 have precinct scanners in some polling places, and 40 have only a central count optical scan.

Voter Registration Systems



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Local. Current Missouri law provides that local election authorities are responsible for registering voters and maintaining the voter registration rolls in their jurisdictions.

State. By statute, the Secretary of State maintains a centralized voter registration database (CVRDB). It is a three-part system, consisting of (1) the CVRDB; (2) a stand alone local voter registration system for 111 county election authorities (LEMS—a comprehensive voter registration software); and (3) an interface capability for 5 election authorities that use and maintain their own individual systems (Interface Counties).

The current statewide CVRDB does not comply with HAVA. It will have to be upgraded, or a new system developed, to comply with the HAVA requirements.

Mission Statement

The mission statement of Missouri's State Plan Committee is to provide advice and to assist the Secretary of State in developing Missouri's State Plan, a comprehensive report detailing the steps Missouri will take to improve its election services and how Missouri will spend any federal dollars received to comply with the requirements of the Help America Vote Act of 2002 (HAVA).



Section 1

SEC. 254. (a) In General.--The State plan shall contain a description of each of the following:

(1) How the State will use the requirements payment to meet the requirements of title III, and, if applicable under section 251(b)(2), to carry out other activities to improve the administration of elections.

TITLE III REQUIREMENTS

On October 29, 2002, President Bush signed HR 3295, the Help America Vote Act of 2002 (HAVA), a federal election reform bill that provides significant funding to the States for the improvement of elections.

The requirements of title III of HAVA for Missouri are as follows:

1. Voting Systems Requirements
 - Second chance voting
 - Audit trail for each machine
 - Accessible to voters with disabilities
 - Alternate language accessibility (not applicable to Missouri)
 - Meet voting system error rate standards
 - Uniform counting standards
2. Provisional Voting Requirements
 - Notify individual that the individual may cast provisional ballot if name does not appear in poll book
 - Provide for prompt verification
 - Count provisional ballot if it is determined that individual was eligible
 - Establish free access system that any individual who casts a provisional ballot may access to discover whether the individual's vote was counted, and if not counted, the reason the vote was not counted
 - Give individuals who cast provisional ballots information about the free access system at the time they cast their provisional ballots
 - Provide separate provisional ballots for ballots cast pursuant to court order or other order extending the time established for closing the polls



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3. Voting Information Requirements
 - Post voting information at polling place
4. Computerized Statewide Voter Registration Database
 - Establish single, uniform, official, centralized, interactive computerized voter registration list maintained and administered at the state level
 - Establish standards for accuracy of voter registration records
 - Establish standards for regular updates of voter registration records
5. Requirements For Voters Who Register By Mail
 - Require first time voter who registers by mail to present valid identification
 - Provide opportunity to vote a provisional ballot if such individual fails to provide proper identification
 - Revise mail-in voter registration application to include questions about whether applicant is a United States citizen and whether applicant will be 18 years of age on election day

Missouri is already in a good position to comply with the title III requirements of HAVA. Following the November, 2000 general election, the Secretary of State assembled a bipartisan commission of local election officials from across the State to review current laws, seek public input, and make recommendations for changes in Missouri's elections statutes and rules. As a result, in 2002 the General Assembly passed Senate Bill No. 675, a comprehensive election reform package, which was signed into law by the Governor. Several provisions in Senate Bill No. 675 are similar to provisions in HAVA, such as provisional voting, computerized voting systems, and voter identification. To address the remaining HAVA compliance issues, another elections bill, House Bill No. 511, has been passed by the General Assembly and signed into law by the Governor. The main purpose of the bill specifically is to ensure that Missouri fully complies with HAVA. A copy of the most current version of House Bill No. 511 can be found on the internet at <http://www.house.state.mo.us/bills03/biltxt/senate/1632S.07F.htm> and is incorporated by reference herein.

HAVA provides significant funding to Missouri for improving the elections process. Assuming full funding, Missouri can expect to receive up to \$8.9 million for election administration improvement (section 101 money); up to \$10.5 million for punch card replacement (section 102 money); and up to \$57.3 million to meet the requirements of title III (sections 252 and 257 requirements payments).



The title III funding is expected to be distributed over the next three fiscal years. If fully funded, the \$57.3 million requirements payments will be made available to local election authorities either through grants or a revolving loan program to upgrade their voting systems and administration so that they fully comply with HAVA, and ongoing maintenance of the statewide voter registration database to keep it in compliance with HAVA.

Voting Systems

Second Chance Voting. Section 301 of HAVA requires voting systems in Missouri to meet three requirements: (i) allow voters to verify their votes in a private and independent manner; (ii) allow voters the opportunity to correct any errors in a private and independent manner; and (iii) notify voters if they have cast multiple votes for one office (known as over voting) and allow the opportunity to correct the error. Under current Missouri law and practice, Missouri already complies with (i) and (ii) and some jurisdictions using precinct registers with optical scan voting systems comply with (iii). However, those jurisdictions using a punch card voting system, a central count optical scan system, of paper ballots, do not comply with (iii). To ensure uniformity throughout the State, the Secretary of State will develop education plans for each type of voting system used in Missouri to comply with the second chance voting requirement for over vote correction and notification. These plans will be made available to local election authorities that choose to meet the over vote notification and correction requirement through education. Local election authorities also will have the option to provide scanners or other mechanical or computerized equipment at the polling place to satisfy this requirement.

Audit Trail. Current state law requires all computerized voting systems in Missouri to have the ability to provide a paper audit trail. The Secretary of State will not approve the use of any computerized voting systems in Missouri unless it can produce a paper audit trail that complies with HAVA and current FEC accessibility standards.

Accessibility. Following are the guidelines and criteria that the Secretary of State will use to ensure that the accessibility requirements for voting systems are met:

1. The accessible machine will be defined as one that meets the current federal accessibility standards in section 2.2.7 and has been certified by an ITA as conforming to those technical standards.
2. A usability task force made up of a variety of people with disabilities including those who primarily use large print, those who primarily use audio output, and



those who need alternative input mechanisms should be established to provide non-technical usability reviews of products that have been certified as meeting the FEC 2002 accessibility standards. A standard set of descriptors should be developed for this group to implement in their usability review. The consumer usability review should assist with product purchasing decisions as described in #4 below.

3. It is anticipated that the State will allocate sufficient funds to pay for 100% of the costs associated with the purchase of the one required accessible voting system per polling place as outlined in #5 below.
4. Two contracts may be established to implement the most cost effective approach to delivering the required accessible voting systems.
 - A multi-vendor state contract should be established with "discount off retail" prices that can be used at the option of local election officials for equipment purchases. If a local jurisdiction is converting to accessible DRE systems, they should be able to select and purchase the accessible DRE system and required accessible systems from such multi-vendor state contract or negotiate their own contract. (Such contract could also be used by counties to purchase only the required accessible voting systems, but would probably not be as cost effective as the following.)
 - A single state contract for accessible voting systems should be established based on interested counties who are not converting to accessible DRE systems and are only purchasing the one required accessible system per polling place. To maximize cost savings, an RFP should be done to secure the lowest and best offer for that number of accessible systems.
5. Those local election authorities participating in the central purchase of accessible machines will be provided with one machine per polling place and sufficient back up equipment. Those local jurisdictions who purchase off the state multi-vendor contract and convert all voting equipment in a polling place will be funded at 100% of the costs for the accessible machines. Those local election authorities that purchase only accessible machines off the state multi-vendor contract will be funded at 100% of the costs for that number of machines as if they had been purchased under the central state contract.

Error Rate Standards. Missouri does not currently comply with the April 2002 FEC counting standards. We will be reliant on vendors to resubmit for certification equipment currently used in Missouri for counting. Equipment not resubmitted and/or failing to meet the standards will need to be replaced prior to January 1, 2006. Because



of this, payments under Section 252 and 257 possibly will need to be allocated to meet this potential liability.

To facilitate certification, in our proposed budget described in section 6 of this State Plan we are including grants to Missouri college engineering schools for the purpose of becoming certified as Independent Testing Authorities (ITA's) for voting equipment standards.

Uniform Counting Standards. The Secretary of State has already promulgated administrative rules defining what constitutes a vote for the three types of voting systems approved and in use in Missouri: punch card voting systems (15 CSR 30-9.010), optical scan voting systems (15 CSR 30-9.020), and paper ballots (15 CSR 30-9.030). The Secretary of State will promulgate administrative rules defining what constitutes a vote for any additional voting systems approved for use in Missouri in the future.

Provisional Voting

Pursuant to election reform legislation passed by the General Assembly in 2002, provisional voting was used in the November, 2002 general election. Missouri's current provisional voting law already complies with many HAVA provisional voting requirements. To comply with the additional requirements in HAVA, House Bill No. 511 modifies Missouri's provisional voting law by expanding the definition of those individuals who are eligible to cast a provisional ballot; establishing a free access system for individuals to discover whether their provisional votes were counted, and if not, why not; providing education and information to voters on provisional balloting and the free access system; and providing for separate provisional ballots for ballots cast pursuant to court order or other order extending the time established for closing the polls. Furthermore, the law authorizes the Secretary of State to promulgate administrative rules as necessary to implement provisional voting that complies with HAVA.

Voting Information

As set out in more detail below under Section 3 of this State Plan, Missouri will implement a comprehensive, uniform voter education and information program by utilizing pamphlets, posters, video segments, internet web sites, and newspaper and television spots. Vendors of voting systems will also be required to make training materials available.

Computerized Statewide Voter Registration Database

As noted above in the Introduction Section of this State Plan, the Secretary of State currently maintains a Centralized Voter Registration Database (CVRDB) that is



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not compliant with HAVA. Missouri's plan is to upgrade the existing CVRDB or obtain a new system through the competitive bidding process to comply with HAVA. The objectives of the database include:

- Establish a single statewide voter registration system that meets all federal requirements.
- Address error handling by increasing the accuracy of voter registration records.
- Provide a system that allows for immediate electronic access to the system by local election officials.
- Ensure that the system is secure.
- Build interfaces for Department of Revenue (driver's license and social security number information for matching purposes under HAVA); Department of Health (death records); and the Department of Corrections (felony records). Consideration should also be given to coordinating a link between the local election authorities and voter registration agencies as defined under the National Voter Registration Act (NVRA) to facilitate voter registration.
- Standardize voter registration practices to ensure uniformity throughout the State
- Upgrade or replace CVRDB.
- Options for connection to the Counties.

The Secretary of State also plans to provide internet connectivity between the Secretary of State and local election authorities to comply with the interactive and immediate access requirements of HAVA. The State currently pays approximately \$7,000 per month for dial up for the counties. DSL will run approximately \$34 – 59/month per county, but the Secretary of State will still need to address a back-up system. Currently the Secretary of State's Technology Trust Fund pays for the internet access and the maintenance on the LEMS software. The maintenance costs are around half a million dollars per year.

Mail-In Voter Registration Requirements

Current Missouri Law already requires all voters, whether voting in person or by absentee ballot, to present identification before casting a ballot. Missouri has already modified the mail-in voter registration applications to comply with HAVA.



Section 2

SEC. 254. (a) In General.--The State plan shall contain a description of each of the following:

(2) How the State will distribute and monitor the distribution of the requirements payment to units of local government or other entities in the State for carrying out the activities described in paragraph (1), including a description of—

- (A) the criteria to be used to determine the eligibility of such units or entities for receiving the payment; and**
- (B) the methods to be used by the State to monitor the performance of the units or entities to whom the payment is distributed, consistent with the performance goals and measures adopted under paragraph (8).**

House Bill No. 511 establishes two new funds in the state treasury: (1) the “Election Administration Improvements Fund”; and (2) the “Election Improvements Revolving Loan Fund”. This legislation gives the Secretary of State the authority and flexibility to distribute funds to local election authorities either through grant or revolving loan programs or a combination of both.

Grant Programs

State statutes require the Secretary of State to administer the grant programs created by the statutes to distribute the requirements payments to the local election authorities for carrying out the activities necessary to comply with HAVA. Senate Bill No. 675, passed by the General Assembly and signed into law by the Governor in 2002, establishes four grant programs, all subject to the appropriation of federal funds: (1) Section 115.074, RSMo Supp. 2002, provides that the Secretary of State shall administer a grant program for the purposes of providing funds to election authorities to upgrade or improve the voting process or equipment. Section 115.074 further authorizes the Secretary of State to promulgate administrative rules to facilitate the administration of the grant program. (2) Section 115.076, RSMo Supp. 2002, provides that the Secretary of State shall administer a grant program for the purposes of providing funds to election authorities to purchase voting machines that are accessible to individuals with disabilities, to make polling places accessible to individuals with disabilities, and provide individuals with disabilities with information about accessibility issues. Section 115.076 further authorizes the Secretary of State to promulgate administrative rules to facilitate the administration of the grant program. (3) Section 115.098, RSMo Supp. 2002, provides that the Secretary of State shall administer a grant program for the purpose of increasing



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the compensation of election judges. Section 115.098 further authorizes the Secretary of State to promulgate administrative rules to facilitate the administration of the grant program. (4) Section 115.801, RSMo Supp. 2002, provides that the Secretary of State shall administer a grant program for the purpose of allowing election authorities to receive federal funds to involve youth in the election process and improve the election process in federal elections. Section 115.801 further authorizes the Secretary of State to promulgate administrative rules to facilitate the administration of the grant program. These four statutory grant programs will be the vehicles used by the Secretary of State to distribute the requirements payments to local election authorities.

The Elections Division of the Secretary of State will develop and manage grant programs funded by the requirements payments. The Secretary of State will develop a Guidebook and Application for local election authorities to use in applying for grants. The Local Records Division of the Secretary of State has experience in administering federal grant programs to local government entities and has developed a detailed and comprehensive Guidebook and Application for its FY 04 Missouri Local Records Preservation Grant Program. A copy of the Guidebook and Application can be found on the Secretary of State's internet web page at <http://www.sos.state.mo.us/archives/localrecs/grants/FY04grantpacket.pdf> and is incorporated by reference herein. The Guidebook and Application developed by the Elections Division will be similar in scope and format to the Local Records Guidebook and Application.

One requirement for local election authorities to receive federal funds will be to comply with a maintenance of effort requirement similar to the one that the State must meet to receive title III requirements payments. The exact details of the local maintenance of effort requirements and calculations on how to figure local maintenance of effort levels will be determined in the process of developing the grant application and guidelines.

Revolving Loan Programs

The Elections Division of the Secretary of State will develop a Guidebook and Application for the Revolving Loan Programs similar to the one it will develop for the Grant Programs.

Criteria

Pursuant to the statutory authority granted by Senate Bill No. 675, the Secretary of State will promulgate administrative rules to facilitate the administration of the grant programs, including but not limited to the criteria for determining the eligibility of entities for receiving funds. These administrative rules will be promulgated in accordance with the Missouri Administrative Procedure Act, Chapter 536, RSMo.



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The Elections Division of the Secretary of State will manage the programs and projects funded by the requirements payments. The Secretary of State will be responsible for accounting of all expenditures, funding, controls and performance in accordance with state and federal laws. The Secretary of State anticipates using a variety of audit practices, including on-site visits and requiring local election authorities to file written reports detailing their progress in meeting the title III requirements.

The performance measures listed in Section 8 of this State Plan will be used as the benchmarks to monitor performance and compliance with the title III requirements.



Section 3

SEC. 254. (a) In General.--The State plan shall contain a description of each of the following:

(3) How the State will provide for programs for voter education, election official education and training, and poll worker training which will assist the State in meeting the requirements of title III.

VOTER EDUCATION

Education and training are the most crucial elements of a voter education plan. An informed electorate increases the probability of conducting successful elections exponentially with each knowledgeable voter. The traditional concept of voter training/education will be expanded with the implementation of HAVA in Missouri. The breath of the program will include three components, -- Voter Education, Voter Information, and Voter Participation.

The objective of the Voter Education/Information Program is to develop confidence in the election system and the outcome of elections in Missouri. It should illustrate that election officials have the information that voters and potential voters need. It should assure understanding of electoral processes and procedures, create an awareness of the election system, and develop positive attitudes towards it.

Voter Education Program -- The Voter Education Program will be a long-term program designed to educate, inform and change attitudes of voters. It will be a crucial element for election authorities changing from one system or process to another.

Currently voter education programs in Missouri are very limited and come under the purview of local election officials. The State Plan will expand, formalize and stabilize the program to ensure uniformity in information delivered to the public. A variety of methods will be used to enhance existing materials and develop tools to meet the requirements of HAVA, including:

1. Pamphlets containing information about voting history, the electoral college, when elections occur in Missouri, voter registration, how to cast a ballot, including a provisional ballot, a Voters' Bill of Rights, re-enfranchisement,



election offenses, contact information when rights have been violated, absentee voting, voter ID requirements, post card registration, and voting options for voters with disabilities, along with other information, will be made available in the Offices of the Secretary of State (SOS) and local election officials. The information provided to the voter will include information on how to verify the votes selected by the voter and how to correct any errors before the ballot is cast and counted. Information about the availability of such pamphlets will be posted on the SOS' website.

2. Posters containing the above information will be developed and displayed at each polling place in conformance with HAVA. Missouri law currently meets the HAVA requirement to post sample ballots in each polling place.
3. Similar pamphlets will be developed and distributed to elementary and secondary schools.
4. Two to three minute video segments demonstrating how to cast a ballot using each type of voting equipment in the state will be developed. The videos will be distributed to local media outlets and local public libraries prior to federal, and major elections in the state and made available to the public upon request. Audio and written PSAs and/or ads may be created and distributed to newspapers and radio stations throughout Missouri. The information provided to the voter will include information on how to verify the votes selected by the voter and how to correct any errors before the ballot is cast and counted.
5. Election authorities upgrading to new voting equipment will be provided with a comprehensive implementation guide that contains, but is not limited to, the following components: (a) policy and legal requirements associated with the change; (b) logistics of the physical change; (c) procedural changes required; (d) personnel requirements; (e) internal training needs; (f) external training methods, including city-wide demonstrations and coordinating demonstrations with various organizations such as the NAACP and Kiwanis Clubs; (g) publicity campaigns; and (h) test elections.
6. Little change is needed in the state to comply with HAVA **military and overseas voting** requirements. Early applications are currently accepted from this population and pending legislation will enable the state to be in compliance with reporting guidelines, distribution of ballots for the next two federal general elections, accepting Presidential designees oaths, and providing explanations for rejecting applications. The SOS and local election officials will post this information on their websites.

Second Chance Voting – To ensure uniformity throughout the State, the Secretary of State will develop education plans for each type of voting system to comply with the second chance voting requirement for over vote notification and correction. These plans will be made available to local election authorities that choose to meet the over vote notification and correction requirement through education.



Voter Information Program – In order to give full effect to the intent of HAVA and to achieve greater participation in the election process, it is essential that we have a population that receives accurate, updated and uniform information regarding their rights and responsibilities as voters. The Voter Information Program is intended to be election specific and communicated prior to each election with the following non-exclusive information:

- Election dates and times
- Registration dates
- Who is eligible to vote absentee
- Location of polling sites
- Availability of sample ballots
- Guidelines for primary elections (such as the need to select a party ballot)
- Change of address requirements for voters
- Change of name requirements for voters

The data will appear on the SOS' and local election officials' websites, in local newspapers and, when possible, on local television stations. In addition, the SOS and local election officials' websites will be equipped with audio capability to service hearing impaired voters.

Voter Participation Program -- This component is targeted specifically toward college students and is designed to teach the value or benefit of voting and why they should participate in the process. In many instances courses in government and education do not cover the election process. Through the **College Poll Worker Program**, title V grants will be used so that students will have the opportunity to obtain first hand knowledge of the voting process through their experiences serving as poll workers or assistants.

To ensure the success of the program, the SOS will establish a unit within the SOS office to develop, oversee and monitor the statewide program. Colleges and universities will be asked to include information about the program in their course catalogs and on their website. The program will offer a stipend to any student, in cooperation with an institution of higher learning, who is willing to (i) apply for a grant and become a spokesperson within the school, and/or to a group of schools, and (ii) maintain records and forward reports as required.

ELECTION OFFICIAL EDUCATION AND TRAINING

Frequent changes in legal requirements and ever evolving practices, processes and technology make it imperative that election officials throughout the state be equipped with the tools and knowledge to conduct successful elections. As the state's chief



election official, the SOS has the responsibility to insure the development of a comprehensive training package for this group of administrators. This plan will be developed using state academicians, election administrators and SOS staff in association with the certification program offered by the Missouri Association of County Clerks and Election Authorities. Elements of the training will include:

1. A core curriculum containing historical information about elections, federal and state legal requirements, management development courses, technical aspects of elections, and the role of technology in the election process.
2. Links to national, state and local election education organizations.
3. An ongoing review, evaluation and revision provision.

POLL WORKER TRAINING

The most critical component of election reform is the development of a comprehensive training and education component for poll workers, who are the front line of the election process. This program must incorporate every facet of the balloting process performed at the polling place and focus on basic customer servicing skills to be effective. If funding is made available, the SOS, in conjunction with the University of Missouri Outreach and Extension program and election administrators, will develop a comprehensive statewide training program designed to develop competent poll workers including, but not limited to the following elements:

- Basic customer servicing techniques -- a necessity for a cadre of individuals who will have direct contact with over 2.5 million citizens during a presidential election. No other government function has this level of contact with citizens in such a short time span.
- Sensitivity training -- poll workers encounter a diverse citizenry on election day. The public expects positive interactions with each voter, regardless of the poll worker's background.
- Services to voters with disabilities and special needs -- only a fraction of our poll workers have been exposed to training at any level that teaches how to service this ballooning population.
- Civil rights -- poll workers may have little or no understanding of the rights of voters and what steps must be taken to protect those rights. Often voters who encounter a problem with voting are treated as having done something wrong.
- Accounting/ballot security -- ballots are, in essence, like money, since any lost vote or ballot could potentially jeopardize an election. Ballot security and tracking of ballots are essential to the conduct of accurate and fair elections.
- Polling place procedures -- a step-by-step methodology for processing voters.
- Technical training -- as we move toward implementation of multiple types of equipment at polling places, training materials must reflect information on how to



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set up, operate, troubleshoot and maintain the equipment, in language that is easily readable and understood.

- Training for election judges who deliver absentee ballots as part of bipartisan teams,

The training program developed will also contain evaluation materials to ascertain program and poll worker effectiveness. The program developed will utilize multiple training methods such as videos, interactive internet applications, hands on and role playing techniques. Evaluation of the training program will be accomplished also by the use of surveys and questionnaires completed by poll workers after receiving the training. Voter surveys or questionnaires will be made available whereby voters will be encouraged to provide feedback on poll worker effectiveness.

Implementation of each of the aforementioned facets of The State Plan for voter education, election official education and training and poll worker training will assist the state in meeting the requirements of title III.



Section 4

SEC. 254. (a) In General.--The State plan shall contain a description of each of the following:

(4) How the State will adopt voting system guidelines and processes which are consistent with the requirements of section 301.

Missouri law provides that before use by election authorities in this state, the Secretary of State shall approve electronic and/or computerized voting systems, and may promulgate administrative rules to carry out this function. § 115.225.1, RSMo Supp. 2002.

No electronic or computerized voting system shall be approved unless it:

- (1) Permits voting in absolute secrecy;
- (2) Permits each voter to vote for as many candidates for each office as a voter is lawfully entitled to vote for;
- (3) Permits each voter to vote for or against as many questions as a voter is lawfully entitled to vote on, and no more;
- (4) Provides facilities for each voter to cast as many write-in votes for each office as a voter is lawfully entitled to cast;
- (5) Permits each voter at a general election to vote for all candidates of one party by one punch or mark or to vote a split ticket, as a voter desires;
- (6) Permits each voter in a primary election to vote for the candidates of only one party announced by the voter in advance;
- (7) Permits each voter at a presidential election to vote by use of a single punch or mark for the candidates of one party or group of petitioners for president, vice president and their presidential electors;
- (8) Accurately counts all proper votes cast for each candidate and for and against each question;



(9) Is set to reject all votes, except write-in votes, for any office and on any question when the number of votes exceeds the number a voter is lawfully entitled to cast;

(10) Permits each voter, while voting, to clearly see the ballot label;

(11) Has been tested and is certified by an independent authority that meets the voting system standards developed by the Federal Election Commission or its successor agency. The provisions of this subdivision shall not be required for any system purchased prior to August 28, 2002.

§ 114.225.2, RSMo Supp. 2002. Furthermore, all computerized voting systems must provide a paper audit trail. § 115.225.3, RSMo Supp. 2002.

The Secretary of State, consistent with statutory authority, promulgated administrative rules to adopt uniform voting systems guidelines and processes consistent with the voting systems standards in section 301 of HAVA.

Moreover, the Secretary of State has already promulgated administrative rules defining what constitutes a vote for the three types of voting systems approved and in use in Missouri: punch card voting systems (15 CSR 30-9.010), optical scan voting systems (15 CSR 30-9.020), and paper ballots (15 CSR 30-9.030). The Secretary of State will promulgate administrative rules defining what constitutes a vote for any additional voting systems approved for use in Missouri in the future.

Missouri requires the testing of systems against the standards by independent testing authorities (ITAs) designated by the National Association of State Election Directors (NASD) and meets the standards set forth by the Federal Election Commission.

Currently, Direct Recording Electronic (DRE) voting systems are not certified for use in Missouri. The Secretary of State will work to certify such voting systems as soon as it is feasible.



Section 5

SEC. 254. (a) In General.--The State plan shall contain a description of each of the following:

(5) How the State will establish a fund described in subsection (b) for purposes of administering the State's activities under this part, including information on fund management.

As described in Section 2 of this State Plan, in 2002 the election reform legislation passed by the General Assembly established four grant programs to be administered by the Secretary of State subject to receipt of federal funds: (1) a program for the purpose of providing funds to election authorities to upgrade or improve the voting process or equipment (§ 115.074, RSMo Supp. 2002); (2) a program to provide funds to election authorities to improve accessibility of polling places and voting machines to disabled voters, as well as provide information about accessibility to disabled voters (§ 115.076, RSMo Supp. 2002); (3) a program to provide funds to election authorities to involve youth in the election process and improve the election process in federal elections (§ 115.801, RSMo Supp. 2002); and (4) a program to increase compensation of election judges (§115.098, RSMo Supp. 2002) In addition, House Bill No. 511 passed by the General Assembly and signed into law by the Governor in 2003 creates two new funds in the state treasury, both to be administered by the Secretary of State: (1) the "Election Administration Improvements Fund"; and (2) the "Election Improvements Revolving Loan Fund". These grant programs and funds give the Secretary of State much flexibility in distributing the federal money received pursuant to HAVA either through grants or low interest loans to local election authorities for meeting the requirements of HAVA.

The funds will be managed by the State Treasurer according to generally accepted accounting principles. Disbursements of funds will be managed and tracked by the Secretary of State, according to generally accepted accounting principles and auditing standards.



Section 6

SEC. 254. (a) In General.--The State plan shall contain a description of each of the following:

(6) The State's proposed budget for activities under this part, based on the State's best estimates of the costs of such activities and the amount of funds to be made available, including specific information on—

- (A) the costs of the activities required to be carried out to meet the requirements of title III;**
- (B) the portion of the requirements payment which will be used to carry out activities to meet such requirements; and**
- (C) the portion of the requirements payment which will be used to carry out other activities.**

Revenue Sources

Based on full appropriation of Federal Funds of 76.5 million dollars; 5% state match; maintenance of effort; local match; and SOS Technology fund.

Expenditures

Mandates ranked by priority

- 1) 10 million - Central Data Base funds
-combination of Title I, Title II, and State Tech Fund
- 2) 15 million – 1 accessible DRE per polling place
-Title II and (Title I Buyout money for participating jurisdictions)
- 3) 13 million – Second chance voting, precinct counters
-Title II Funds
- 4) 2.5 million - Poll worker education/ poll worker equipment training
-Title II Funds
- 5) 1.5 million – Voter education



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-Title II Funds

- 6) 7 million – Continuing education, technical support, upgrades of equipment and software for local jurisdictions

-Title II Funds

Non Mandated proposals

- 7) 100 million – Purchase of statewide voting equipment (based on one device per 150 voters)

10 million Title II Funds

10.5 million punch card buyout

10 million local match

64.5 million annual appropriations bonds

Funds established in Sec 115.077 of HB 511 will be used as revenue source to pay off bonds

- 8) .5 million – Polling Place accessibility survey with cost estimate

-Sec. 261 Funds, Additional Title II Funds (only after full compliance of Title III has been reached

- 9) 3 million – Early voting, equipment and personnel

-Title II Funds

- 10) 100,000 – Grants for college workers

-Title V Funds

- 11) 750,000 – voting system development/testing grants

-Title I funds



Section 7

SEC. 254. (a) In General.--The State plan shall contain a description of each of the following:

(7) How the State, in using the requirements payment, will maintain the expenditures of the State for activities funded by the payment at a level that is not less than the level of such expenditures maintained by the State for the fiscal year ending prior to November 2000.

Under current law, Missouri has a “State Election Subsidy Fund” in the state treasury that is funded by appropriations from the General Assembly for the purpose of the State making advance payments of election costs to local election authorities. House Bill No. 511, passed by the General Assembly and signed into law by the Governor, would expand this fund to meet the State’s funding obligation to maintain expenditures pursuant to HAVA. The proposed legislation requires the commissioner of administration to transfer annually to the State Election Subsidy Fund an amount not less than the amount expended in the fiscal year that ended June 30, 2000. At the end of each fiscal year, any amounts in the State Election Subsidy Fund not expended or obligated to meet the State’s obligation for election costs to local election authorities shall be transferred to the Election Administration Improvements Fund and used to meet the maintenance of effort funding requirement of HAVA.

Missouri also will meet the maintenance of effort requirement by maintaining expenditures for the Elections Division of the Office of the Secretary of State at the same level or greater than for the state fiscal year ending June 30, 2000.



Section 8

SEC. 254. (a) In General.--The State plan shall contain a description of each of the following:

(8) How the State will adopt performance goals and measures that will be used by the State to determine its success and the success of units of local government in the State in carrying out the plan, including timetables for meeting each of the elements of the plan, descriptions of the criteria the State will use to measure performance and the process used to develop such criteria, and a description of which official is to be held responsible for ensuring that each performance goal is met.

Statewide Database/Provisional Voting

Performance Element	Statewide Voter Registration Database
Performance Goal	Implementation of a single, uniform, official, centralized, interactive, computerized statewide voter registration list that is defined, maintained and administered at the state level..
Performance Measures	Accuracy of voter registration roll
Performance Outcomes	<ul style="list-style-type: none">• Increase accuracy of voter registration roll• Decrease voter fraud
Timetable	Complete by January 1, 2004.
Criteria Used to Measure Performance	Number of problems encountered with voter registration on election day.
Process Used to Develop Criteria	Criteria developed by the State Plan Committee.
Responsible Official	Secretary of State

Performance Element	Provisional Voting
Performance Goal	Implementation of a free access system for provisional voters to determine whether their provisional votes counted, and if not, why not.
Performance Measures	Percentage of provisional ballots counted to voter registration.
Performance Outcomes	<ul style="list-style-type: none">• Lessen confusion at polling places• Educate provisional voters about proper voter registration• Increase voter satisfaction
Timetable	Complete by January 1, 2004.
Criteria Used to Measure Performance	<ul style="list-style-type: none">• Step one – The State will provide the election authority provisional ballot envelopes that are preprinted with sequential numbers and a tear-off system. The tear-off portion must identify in writing a manner in which the voter can validate whether their vote was counted, and if not, why not. The tear-off is given to the voter at the polling places and if desired, the election authority may also give the voter a handout with instructions. The projected cost for 150,000 envelopes is \$18,564 - \$5,354 or 30% higher than the original provisional ballot envelope.• Step two – The election authority counts provisional ballots. The election authority documents provisional ballots not



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	<p>counted and why. The State will clarify rules for counting provisional ballots.</p> <ul style="list-style-type: none"> Step three – The State will establish an 800 number that forwards all calls to the local election authority. The local election authority will answer phone calls from voters and verify the voter's identity using the pin# that they were given on the tear-off. Election authorities may provide additional information to provisional voters by giving local election jurisdiction web pages or local 800 numbers, if available. The projected cost will be 7 cents/minutes for the phone calls, a minimal or no set up fee, and staff time to answer calls which is undetermined at this time.
Process Used to Develop Criteria	Criteria developed by the State Plan Committee.
Responsible Official	Secretary of State

Equipment/Accessibility

Performance Element	Accessibility for individuals with disabilities
Performance Goal	Implementation of at least one accessible DRE in each polling place in Missouri.
Performance Measures	Number of polling places equipped with complying voting systems by deadline set by law
Performance Outcomes	<ul style="list-style-type: none"> Increase accessibility for voters with disabilities Increase voter satisfaction
Timetable	Complete by January 1, 2006.
Criteria Used to Measure Performance	Functional machine in each polling place
Process Used to Develop Criteria	Criteria developed by the State Plan Committee.
Responsible Official	Secretary of State in conjunction with local election authorities.

Performance Element	Statewide Grievance System
Performance Goal	Implementation of uniform, nondiscriminatory State-based administrative complaint procedures.
Performance Measures	Grievances handled within time limits set by law
Performance Outcomes	<ul style="list-style-type: none"> Increase voter confidence in voting process Resolve disputes Increase voter satisfaction
Timetable	Complete by January 1, 2004
Criteria Used to Measure Performance	Number of grievances with successful resolution
Process Used to Develop Criteria	Criteria developed by the State Plan Committee.
Responsible Official	Secretary of State

Training/Education

Performance goals and objectives for the education and training portion of the State Plan will be developed by a committee of statewide stakeholders in the elections process appointed by the Secretary of State: i.e., state election administrators, election workers, elected officials, special interest groups and voters (The State Plan Committee). As the chief election official in the state, the Secretary of State (the "SOS") will assume



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the responsibility of ensuring that each performance goal is met. State Election Directors will have the ongoing task of monitoring, evaluating and revising the performance evaluation process. Elements of the Plan, performance goals, performance measures, timetables and criteria used to measure performance follow.

Performance Element	Voter Education
Performance Goal	Develop voter education pamphlets for distribution to election authorities, elementary and secondary schools and the public.
Performance Measures	<ul style="list-style-type: none"> • Pamphlets printed by January 1, 2004 • Notice of availability posted on the SOS's and local election authorities' websites by January 15, 2004 • Distributed to local election authorities by March 15, 2004 • Distributed to schools by April 1, 2004
Performance Outcomes	<p>After reading the pamphlet, elementary and secondary students will have a better understanding of</p> <ul style="list-style-type: none"> • The electoral college • The history of voting, including the struggles of many groups to gain the right to vote • The history of voting equipment • The Voter's Bill of Rights • The purpose of registering to vote • The Secretary of State's role in administering elections
Timetable	Complete by April 1, 2004.
Criteria Used to Measure Performance	<ul style="list-style-type: none"> • Election officials will complete a reporting form developed by the SOS's office indicating: (1) initial date website posted with information; (2) initial date pamphlets were received; (3) number of pamphlets distributed; and (4) number of pamphlets distributed biennially. • Number of new voter registrations • Number of pamphlets requested by voters or potential voters • Number of schools participating • Number of calls to election authorities
Process Used to Develop Criteria	Criteria developed by the State Plan Committee.
Responsible Official	Secretary of State in conjunction with local election authorities

Performance Element	Voter Education
Performance Goal	Display posters containing required HAVA information at the polls.
Performance Measures	<ul style="list-style-type: none"> • Posters available by June 1, 2004 • Number of polling places and number of posters displayed in August primary and November general elections
Performance Outcomes	<ul style="list-style-type: none"> • Decrease confusion at the polls • Decrease voter complaints • Increase voter awareness • Increase voter satisfaction • Increase voter turnout
Timetable	Posters developed, designed and printed by June 1, 2004
Criteria Used to Measure Performance	Following each federal election, election officials will complete a reporting form developed by the SOS's office indicating: (1) initial date posters were available; (2) number of polling places in which posters were displayed; and (3) number and type of posters displayed.
Process Used to Develop Criteria	Criteria developed by the State Plan Committee.
Responsible Official	Secretary of State in conjunction with local election authorities



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Performance Element	Voter Education
Performance Goal	Develop two to three minute "How to Cast a Ballot" video segments and written and audio PSAs.
Performance Measure	<ul style="list-style-type: none"> Videos and PSAs available by June 1, 2004. Number and type of media outlets (newspapers, radio, TV) airing videos prior to August primary and November general elections.
Performance Outcomes	<ul style="list-style-type: none"> Increase voter awareness Decrease confusion at the polls Decrease voter complaints Increase voter satisfaction Increase voter turnout
Timetable	Complete production of videos and PSAs by June 1, 2004
Criteria Used to Measure Performance	<ul style="list-style-type: none"> Media will be asked to report to the SOS the dates and times videos air. Election officials will report to the SOS the dates and times videos were viewed. Feedback from public
Process Used to Develop Criteria	Criteria developed by the State Plan Committee.
Responsible Official	Secretary of State in conjunction with local election authorities

Performance Element	Voter Education
Performance Goal	Develop "Voting Equipment Installation Guide."
Performance Measure	Guide available by January 1, 2004 or upon certification
Performance Outcomes	<ul style="list-style-type: none"> Decrease voter complaints Increase poll worker expertise Decrease troubleshooting jobs
Timetable	Complete by January 1, 2004 or upon certification
Criteria Used to Measure Performance	<p>Following installation of new voting equipment, for three succeeding elections, election officials will report to the SOS:</p> <ul style="list-style-type: none"> Adequacy of Guide and recommendations for revisions Number of voters trained, by venue Number of demonstrations scheduled and completed Number and type of publicity campaigns used Number of election judges trained Number of test elections held Outcome of voter surveys
Process Used to Develop Criteria	Criteria developed by the State Plan Committee.
Responsible Official	Secretary of State in conjunction with local election authorities

Performance Element	Voter Education
Performance Goal	Monitor Military and Overseas Voting ("MOV") Activity.
Performance Measure	<p>Sixty days following each federal election, election authorities will report to the SOS:</p> <ul style="list-style-type: none"> Number of MOV applications received early Number of absentee ballots sent to/received from MOV Number of oaths administered by Presidential designee Number of applications rejected and the reason for each
Performance Outcomes	<ul style="list-style-type: none"> Decrease voter complaints Increase voter participation by military and overseas voters
Timetable	Initially complete by October 4, 2004, and January 2, 2005; biennially



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	thereafter.
Criteria Used to Measure Performance	Timeliness of reports received.
Process Used to Develop Criteria	Criteria developed by the State Plan Committee.
Responsible Official	Secretary of State in conjunction with local election authorities

Performance Element	Voter Information
Performance Goal	Provide election specific information to the voting public.
Performance Measure	Provide all information in a timely manner: <ul style="list-style-type: none"> Election dates, registration dates, absentee voting information and sample ballots available 6 weeks prior to federal elections. Location of polls and primary election procedures available two weeks prior to election. Instructions on change of address and procedures for re-registering to vote
Performance Outcomes	<ul style="list-style-type: none"> Increase voter participation Decrease voter complaints
Timetable	Complete by January 1, 2004
Criteria Used to Measure Performance	Each election official will report to the SOS the adequacy and timeliness of information and the media outlets used prior to each federal election.
Process Used to Develop Criteria	Criteria developed by the State Plan Committee.
Responsible Official	Secretary of State in conjunction with local election authorities

Performance Element	Voter Education
Performance Goal	Develop voter education materials on change of address
Performance Measures	Available by June 1, 2004
Performance Outcomes	<ul style="list-style-type: none"> Decrease number of changes filed at polling place on election day Decrease number of voters being directed to another polling place Decrease number of calls to election authority on election day Decrease number of provisional ballots being cast
Timetable	Developed by June 1, 2004
Criteria Used to Measure Performance	<ul style="list-style-type: none"> Number of changes filed at polls on election day Number of phone calls to election authority on election day
Process Used to Develop Criteria	Criteria developed by the State Plan Committee.
Responsible Official	Secretary of State in conjunction with local election authorities

Performance Element	Voter Participation
Performance Goal	Create College Poll Worker Program.
Performance Measure	<ul style="list-style-type: none"> Develop by January 1, 2005 Distribute to colleges and universities by March, 2005
Performance Outcomes	<ul style="list-style-type: none"> Provide new source of poll workers and assistants Provide forum for students to learn about citizenship and their rights and responsibilities as voters Encourage young people to register and vote
Timetable	Complete program development by January 1, 2005
Criteria Used to Measure Performance	Following each federal election: <ul style="list-style-type: none"> Election officials will report to the SOS the number of college poll workers used. School coordinators will report to the SOS the number of



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	college poll workers recruited.
Process Used to Develop Criteria	Criteria developed by State Plan Committee.
Responsible Official	Secretary of State in conjunction with local election authorities

Performance Element	Election Official Education and Training
Performance Goal	Develop Election Official Training Package.
Performance Measure	<ul style="list-style-type: none"> • Develop by January 1, 2004 • Conduct initial session by March 1, 2004 • Evaluate and revise by May 1, 2004
Performance Outcomes	<ul style="list-style-type: none"> • Increase election official expertise and knowledge about federal, state and local election laws • Increase knowledge about basic voter information • Increase service to voters • Increase voter satisfaction • Decrease voter complaints
Timetable	Complete program development by January 1, 2004.
Criteria Used to Measure Performance	The SOS will maintain records on the number of election officials attending training sessions and the number completing the certification process on an ongoing basis.
Process Used to Develop Criteria	Criteria developed by State Plan Committee.
Responsible Official	Secretary of State in conjunction with local election authorities

Performance Element	Poll Worker Training
Performance Goal	Develop Poll Worker Training Package.
Performance Measure	<ul style="list-style-type: none"> • Develop by January 1, 2004 • Conduct testing by March 1, 2004 • Evaluate, revise and retest by May 1, 2004
Performance Outcomes	<ul style="list-style-type: none"> • Increase expertise and knowledge of poll workers • Increase service to voters • Decrease voter complaints • Improve the voting process • Increase voter satisfaction
Timetable	Complete program development by January 1, 2004
Criteria Used to Measure Performance	<ul style="list-style-type: none"> • Number of election officials trained in advance of 2004 primary and general elections • Number and nature of polling place complaints received relative to election judge performance • Percent of accuracy in polling place reports completed by election judges • Number of positive comments received from voters • General assessment by election authorities about election judge performance compared to previous elections
Process Used to Develop Criteria	Criteria developed by the State Plan Committee.
Responsible Official	Secretary of State in conjunction with local election authorities



Section 9

SEC. 254. (a) In General.--The State plan shall contain a description of each of the following:

(9) A description of the uniform, nondiscriminatory State-based administrative complaint procedures in effect under section 402.

HAVA and House Bill No. 511 require the Secretary of State to establish state-based administrative complaint procedures to remedy grievances concerning a violation of title III of HAVA. These procedures shall:

- (1) Require complaints to be in writing and notarized, and signed and sworn by the person filing the complaint;
- (2) Allow complaints to be consolidated;
- (3) At the request of the complainant, require a hearing on the record which may be conducted exclusively by written testimony and information;
- (4) Provide an appropriate remedy for any substantiated violation of Title III of the Help America Vote Act of 2002;
- (5) Dismiss the complaint and publish the results of the procedures when there is a determination of no violation;
- (6) Require a final determination with respect to the complaint before the expiration of the ninety-day period which begins on the date the complaint is filed, unless the complainant consents to a longer period for making such a determination; and
- (7) If the final determination is not completed within ninety days, resolve the complaint within sixty days under alternative dispute resolution procedures. The record and any other materials from proceedings conducted pursuant to this subsection shall be made available for use under the alternative dispute resolution procedures.

The Secretary of State is authorized to promulgate rules to execute these procedures. Therefore, the Secretary of State will promulgate rules to develop a uniform statewide complaint system that is consistent with State and Federal law.



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Elements of Missouri's uniform statewide complaint system include the following:

- Who may file a grievance;
- What is the proper subject for a grievance;
- Grievance must be filed (notarized and in writing) with the Secretary of State within 30 days after the certification of the election;
- The Secretary of State shall designate a hearing officer;
- The hearing officer shall provide each party an opportunity to explain their positions in writing or, if the circumstances so dictate, a hearing on the record, within ten days of the filing of the complaint;
- The hearing officer shall issue a decision in writing;
- Any nonprevailing party may request a review of the hearing officer's decision by the Secretary of State or his designee and that review and determination will be final, to be judicially reviewable only through Chapter 536, RSMo.



Section 10

SEC. 254. (a) In General.--The State plan shall contain a description of each of the following:

(10) If the State received any payment under title I, a description of how such payment will affect the activities proposed to be carried out under the plan, including the amount of funds available for such activities.

As noted earlier, Missouri is eligible to receive two types of title I payments: (1) payments for election administration improvements (section 101 money); and (2) payments for punch card replacement (section 102 money).

Section 101 Money

Missouri plans to use the section 101 money it receives to carry out the following activities:

1. Comply with the requirements of title III of HAVA, including but not limited to:
 - Develop and administer a statewide voter registration database;
 - Provide all polling places with at least one accessible direct recording electronic (DRE) voting system or other voting system equipped for individuals with disabilities;
2. Develop and administer this State Plan;
3. Provide for voter education;
4. Provide training and materials for election personnel;
5. Improve the administration of elections for federal office;
6. Improve, acquire, lease, modify or replace voting systems and technology and methods for casting and counting votes;
7. Improve the accessibility and quantity of polling places. House Bill No. 511 provides that after all of the requirements of HAVA have been met, any remaining section 101 money may be used to make polling places more accessible to individuals with disabilities.



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Section 102 Money

Missouri plans to participate in the punch card replacement program. Statewide there are 3,594 qualifying precincts that use punch card voting systems. Local election authorities have expressed an interest in using the section 102 money to upgrade to optical scan systems or accessible DRE systems. Missouri will not require local election authorities to participate; however, Missouri understands that it must repay the funds back to the federal government in an amount equal to the noncompliant precinct percentage of the funds provided to Missouri under the program.



Section 11

SEC. 254. (a) In General.--The State plan shall contain a description of each of the following:

(11) How the State will conduct ongoing management of the plan, except that the State may not make any material change in the administration of the plan unless the change--

- (A) is developed and published in the Federal Register in accordance with section 255 in the same manner as the State plan;**
- (B) is subject to public notice and comment in accordance with section 256 in the same manner as the State plan; and**
- (C) takes effect only after the expiration of the 30-day period which begins on the date the change is published in the Federal Register in accordance with subparagraph (A).**

Day-to-day management of the State Plan will be the responsibility of the Elections Division of the Secretary of State. The Elections Division will work closely with local election authorities to implement all of the requirements and provisions of HAVA.

In addition, the State Plan Committee will meet once each year to review the progress of the provisions of the State Plan. The State Plan Committee will also review the State Plan and recommend any needed changes or improvements. The Secretary of State may call additional meetings of the State Plan Committee as deemed necessary to carry out the provisions of the State Plan.



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Section 12

SEC. 254. (a) In General.--The State plan shall contain a description of each of the following:

(12) In the case of a State with a State plan in effect under this subtitle during the previous fiscal year, a description of how the plan reflects changes from the State plan for the previous fiscal year and of how the State succeeded in carrying out the State plan for such previous fiscal year.

This State Plan is the initial plan required under HAVA, so no updates or changes are necessary. The Secretary of State will update this section in the next fiscal year to comply with this section.



Section 13

SEC. 254. (a) In General.--The State plan shall contain a description of each of the following:

(13) A description of the committee which participated in the development of the State plan in accordance with section 255 and the procedures followed by the committee under such section and section 256.

Missouri State Plan Committee Members

Representatives to the Election Assistance Commission Standards Board
<ul style="list-style-type: none">• State election official: Terry Jarrett, General Counsel, SOS (Republican)• Local election official: Mary Berry, DeKalb County (Democrat)
Statewide Database/Provisional Voting/Voter Identification Subcommittee
<ul style="list-style-type: none">• Co-Chair: Richard Struckhoff, Greene County• Co-Chair: Pat Conway, Buchanan County• David Welch, St. Louis County• Charlene Davis, Jackson County• Wendy Flanigan, Platte County• Carol Bennett, Phelps County• Kelly Christopher, Livingston County• Dennis VonAllmen, Howell County• Senator Maida Coleman, St. Louis• Representative Bob May, Rolla• Representative Jim Seigfreid, Marshall• Glenn Nielsen, Libertarian Party• Janice Brand, MO Dept. of Health• Estil Fretwell, MO Farm Bureau• Mark (Thor) Hearne, MO Republican Party• Dennis Bax, MO Dept. of Social Services• Robert Honan, Governor's Council on Disability• Rob Heggie, MO Democratic Party• Mary Ratliff, NAACP• Norma Hensiek, John Sappington, Ruth Redel, MO Dept. of Revenue• Jim Kistler, Associated Industries of MO
Equipment/Accessibility Subcommittee
<ul style="list-style-type: none">• Co-Chair: Judy Taylor, St. Louis County



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Help America Vote Act Missouri Plan

- Co-Chair: Gilbert Powers, Johnson County
- Tom Herbst, former clerk, Franklin County
- Jim Sears, Randolph County
- Randy Taylor, Perry County
- Bob Nichols, Jackson County
- Glenda Mott, Laclede County
- Stan Whitehurst, Webster County
- Cindy Beale, MO Republican Party
- Diane Golden, MO Assistive Technology
- Dennis Miller, MO Council of the Blind
- Brian Wekamp, Natl. Federation of the Blind
- Jim Dejong, ADA Project
- Erica Stephens, Protection and Advocacy

Training/Education Subcommittee

- Co-Chair: Sharon Turner Buie, Kansas City
- Co-Chair: Gary Stoff, St. Louis City
- Rosemary Kochner, former election official, St. Louis County
- Mary Berry, DeKalb County
- Wendy Noren, Boone County
- Charles Isbell, Dunklin County
- Anita Groepper, Moniteau County
- Dave Berry, MO Press Association
- Gail Willis, MO State Teachers Association
- Daniel (Duke) McVey, MO AFL-CIO
- Kris Morrow, Dept. of Elementary & Secondary Education
- Laura Worstell, MO League of Women Voters
- Alyce Zerr, MO Farm Bureau
- Kay Roberts, poll worker, Columbia
- Carl Poehlman, AARP Missouri
- Dolores Hampton, MO Planning Council
- Tom Stevens, Natl. Federation of the Blind of MO
- Kelly Anthony, Paraquad
- Reid Forrester, MO Republican Party
- Michael Ferguson, MO Libertarian Party
- Jim Kottmeyer, MO Democratic Party
- Lee Biernbaum/Khandicia Randolph, Assoc. Students of the Univ. of MO
- Rita Valenciano, Coalition of Hispanic Organizations
- Thomas W. Mayer, MO Fraternal Order of Police